



UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA  
RIVERSIDE DIVISION

In re:

TONJICAY TENESHIA WARREN,

Debtor.

Case No.: 6:22-bk-10285-WJ

CHAPTER 13

**SCHEDULING ORDER**

1 A confirmation hearing and the status conference occurred in this case on June 27, 2022.  
2 As discussed, the debtor is experiencing difficulty making rent payments timely. As a result, the  
3 Court continued the matter to November 28, 2022 at 12:30 p.m. and the Court entered a related  
4 scheduling order for that hearing on June 30, 2022 [docket #38].

5 As required in the scheduling order, the debtor filed a further brief on November 4, 2022  
6 regarding rent payments. The Court thanks counsel for the update. As discussed therein, the  
7 debtor is still having difficulty making rent payments timely.

8 Therefore, the Court hereby ORDERS as follows:

9 1. The confirmation hearing and status conference are continued to June 26, 2023 at  
10 11:00 a.m. Counsel for the debtor shall file and serve on all creditors a notice of the continuance  
11 no later than November 30, 2022.

12  
13 2. No later than June 5, 2023, the debtor should file a declaration demonstrating that  
14 the debtor has made all monthly post-petition rent payments from December of 2022 to June of  
15 2023 (with proof attached).<sup>1</sup> The declaration should state the amount of rent due for each month  
16 from December of 2022 to June of 2023 and the amount of rent actually paid each month (and the  
17 dates of all payments). With respect to each rent payment made late, the declaration should explain  
18 the reasons for each late payment.

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20 3. No later than June 12, 2023, the trustee should file a brief indicating whether the  
21 debtor has timely made all post-petition plan payments to the trustee with dates and amounts of  
22 payments. If the trustee supports confirmation then, after the debtor files the required pleadings,  
23 the chapter 13 trustee should file, no later than June 12, 2023, a pleading stating as much and attach  
24 a worksheet with the proposed terms of confirmation. If the chapter 13 trustee does not support  
25 confirmation then, no later than June 12, 2023, the trustee should file a motion requesting dismissal  
26 which states all grounds for dismissal and includes a declaration in support of the motion. If the  
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28 <sup>1</sup> With respect to rent payments, in nearly all instances, post-petition obligations of assumed executory  
contracts or unexpired leases constitute administrative claims which must be paid in full pursuant to section 1322(a)(2).

1 debtor has not made all post-petition mortgage or rent payments for all post-petition months, the  
2 trustee normally requests dismissal of the case. If, for any reason, the trustee does not do so, the  
3 proposed terms of confirmation must (a) include provisions to cure all post-petition arrearages (as  
4 well as any pre-petition arrearage) and (b) provide for conduit payments for the monthly payments  
5 for the rest of the case.

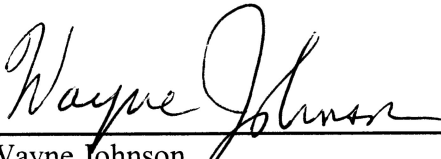
6  
7 4. The deadline for the debtor to respond to the trustee's pleading is June 19, 2023. If  
8 the trustee seeks dismissal, the debtor should file an opposition brief to the dismissal motion. If the  
9 trustee recommends confirmation, the debtor should state whether the debtor agrees with the terms  
10 of confirmation proposed by the trustee.

11  
12 5. The Court will review the pleadings and may issue a ruling without holding  
13 hearings on June 26, 2023 that (a) confirms the chapter 13 plan, (b) continues the matter,  
14 (c) dismisses the case or (d) grants other relief depending on various factors including, but not  
15 limited to, whether or not an agreement exists regarding confirmation, and whether or not the  
16 debtor has timely made payments and provided documents to the trustee during the case. If no  
17 order is entered prior to June 26, 2023, all parties should check the Court's posted calendar the day  
18 before June 26, 2023.

19 IT IS SO ORDERED.

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24 Date: November 23, 2022

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26 Wayne Johnson  
27 United States Bankruptcy Judge  
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